



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 West 15th St, Suite 3200
HELENA, MONTANA 59626

Ref: 8MO

July 11, 2007

Ms. Kathleen McAllister, Deputy Regional Forester
Re: Northern Rockies Lynx Management Direction FEIS/ROD
USFS Northern Region 1
P.O. Box 7669
Missoula, Montana 59807

Re: Northern Rockies Lynx Management
Direction FEIS/ROD, CEQ 20070240

Dear Ms. McAllister:

The Environmental Protection Agency (EPA) Region 8 Montana Office has reviewed the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for Northern Rockies Lynx Management Direction.

The EPA is pleased that a new preferred alternative, Alternative F, was developed and disclosed in the FEIS and ROD in response to public and agency DEIS comments. Alternative F appears to reduce potential risks to the threatened Canada lynx in comparison to the preferred alternative in the DEIS (Alternative E), and strike a better balance between the many environmental and resource management trade-offs involved in promoting conservation and recovery of the lynx while also addressing other resource management and ecosystem protection needs on National Forests (fire risks, vegetation management, recreation, etc.). We are particularly pleased that Alternative F:

- ▶ does not include standard All S2 that would have allowed projects to deviate from lynx standards;
- ▶ includes standard VEG S2 that limits the amount of regeneration timber management in lynx habitat over a ten year period;
- ▶ modifies standard VEG S1 so that it applies to single Lynx Analysis Units (LAUs) and provides a cumulative cap for fuel treatments projects in a planning area;
- ▶ adds a criterion to VEG S5 that would allow pre-commercial thinning only if it is based on peer reviewed information, applied at a site-specific level, and is agreed to by Forest Service management;

- ▶ adds guideline VEG G10 encouraging fuel treatment projects within the Wildland Urban Interface (WUI) to meet VEG standards;
- ▶ changes guideline VEG G8 to a mandatory standard (Standard VEG S6) to provide limits on activities that may occur in multistory forests; and
- ▶ includes additional monitoring and reporting (e.g., monitoring and reporting of the number of acres per year where standard VEG S5 exemptions applied; acres of fuel treatment in lynx habitat within the WUI, and whether fuel treatments within the WUI meet vegetation standards).

While we are generally pleased with the new preferred alternative, we note that we still have some concerns about the revised management direction since the U.S. Fish and Wildlife Service (FWS) still indicates that the selected alternative would be “likely to adversely affect lynx” (2007 Biological Opinion), and some mandatory standards limiting activities potentially damaging to lynx are being replaced with more discretionary guidelines (e.g., HU S1-S3, Grazing S1-S3, etc.). We note that while the FWS indicates that available scientific and commercial data does not indicate that certain activities are threats to lynx conservation and recovery at this time (e.g., grazing, mining, roads, snow compaction), the FWS also states that adverse effects to individual lynx could still result from the activities if guidelines are not always followed.

We are pleased that the Forest Service acknowledges and discloses that adverse effects could result if guidelines are not followed, and the ROD states that guidelines are expected to be followed in most cases (page 28). We are also pleased that the 2007 Biological Opinion indicates that the Forest Service will provide a written annual report to the FWS that will include rationale for any deviations from the guidelines in occupied lynx habitat.

We also want to note that it is not entirely clear to us if lack of FWS data and information indicating risks to lynx recovery from certain activities may in some cases be related to limited funding and analytical resources for the FWS to fully investigate and document risks of the activities to lynx recovery. It will be important for the Forest Service and the U.S. Fish and Wildlife Service to provide adequate resources for continued monitoring and analysis of lynx conservation and recovery needs.

Finally, while we appreciate receipt of responses to our DEIS comments in the FEIS, we note that we did not see a response to our comment that the gray wolf was not identified as a competing carnivore along with the coyote, bobcat, and mountain lion in the section about “Competition from other Predators” (page 175). It appears to us that compacted snow trails and roads could facilitate increased wolf predation on the snowshoe hare, and thus, increased competition with the lynx, especially since the population of the gray wolf appears to be on the rise.

We appreciate the opportunity to review this EIS and participate in the NEPA process. If you have any questions regarding our input please contact Mr. Steve Potts of my staff in Missoula at 406-329-3313 or in Helena at 406-457-5022 or via e-mail at potts.stephen@epa.gov. Thank you for your consideration.

Sincerely,

/s/ John F. Wardell
Director
Montana Office

cc: Larry Svoboda/Julia Johnson, EPA 8EPR-N, Denver
Mark Wilson/Anne Vandehey, USFWS, Helena